

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

BLANKENBERGER BROTHERS)
HOLDINGS, LLC, and HOOSIER)
KING COAL COMPANY,)
)
Plaintiffs,)
)
vs.) NO. 1:06-cv-00362-LJM-DML
)
BRONCO COAL COMPANY,)
)
Defendant.)

ORDER ON DEFAULT JUDGMENT

Defendant Bronco Coal Company having failed to obtain counsel as required by this Court's January 12, 2011 Order [Dkt. No. 307], the Court concludes that default judgment against Defendant is appropriate.

THEREFORE, it is **ORDERED, ADJUDGED, and DECREED** that on Count I of the the Amended Complaint and its Promissory Note dated December 26, 2005 in the principal amount of \$1,000,000.00, judgment is entered in favor of Plaintiff Blankenberger Brothers Holdings, LLC, and against Defendant Bronco Coal Company in the amount of \$1,407,232.61, including interest at 8% per annum through January 31, 2011;

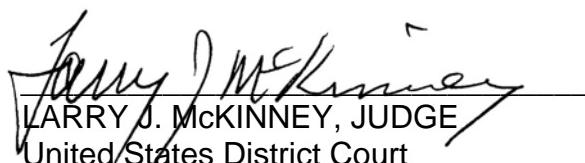
It is further **ORDERED, ADJUDGED, and DECREED** that on Count II of the Amended Complaint and its Promissory Note dated December 26, 2005 in the principal amount of \$187,500.00, judgment is entered in favor of Plaintiff Blankenberger Brothers Holdings, LLC, and against Defendant Bronco Coal Company in the amount of \$263,855.97, including interest at 8% per annum through January 31, 2011;

It is further **ORDERED, ADJUDGED, and DECREED** that on Count III of the Amended Complaint and its Promissory Note dated December 26, 2005 in the principal amount of \$1,000,000.00, judgment is entered in favor of Plaintiff Hoosier King Coal Company and against Defendant Bronco Coal Company in the amount of \$1,407,232.61, including interest at 8% per annum through January 31, 2011;

It is further **ORDERED, ADJUDGED, and DECREED** that on Count IV of the Amended Complaint and the Promissory Note dated December 26, 2005 in the principal amount of \$187,500.00, judgment is entered in favor of Plaintiff Hoosier King Coal Company and against Defendant Bronco Coal Company in the amount of \$263,855.97, including interest at 8% per annum through January 31, 2011;

It is further **ORDERED, ADJUDGED, and DECREED** that on Count V of the Amended Complaint and their Promissory Note dated December 26, 2005 in the principal amount of \$3,000,000.00, judgment is entered in favor of Plaintiffs Blankenberger Brothers Holdings, LLC, and Hoosier King Coal Company and against Defendant Bronco Coal Company in the amount of \$4,221,698.40, including interest at 8% per annum through January 31, 2011.

IT IS SO ORDERED this 8th day of February 2011.



LARRY J. MCKINNEY, JUDGE
United States District Court
Southern District of Indiana

Distribution attached.

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